

**REGULAR MONTHLY MEETING
PIKE COUNTY BOARD OF COMMISSIONERS
July 9, 2008
9:00 am**

The Pike County Board of Commissioners held their Regular Monthly Meeting on Wednesday, July 9, 2008 at 9:00 am in the Pike County Commissioners Meeting Room, Zebulon, Georgia. Members present were presiding Chairman Steve Fry, Commissioner Tommy Powers, Commissioner Jake Garner, Commissioner Parrish Swift and Commissioner Roosevelt Willis. Also in attendance were County Attorney Tom Morton and County Manager Steve Marro. (O.C.G.A. § 50-14-1(e) (2))

CHAIRMAN FRY CALLED THE PIKE COUNTY COMMISSIONERS MEETING TO ORDER AND ASKED EVERYONE TO JOIN HIM IN THE PLEDGE OF ALLEGIANCE TO THE FLAG.

CHAIRMAN FRY CALLED FOR APPROVAL OF THE AGENDA PURSUANT TO O.C.G.A. § 50-14-1(e) (1)

County Manager Marro stated that the new agenda that was sitting on the desk added the words “none” after item #10, Public Comment.

MOTION

Commissioner Swift made the motion to approve. Commissioner Willis seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR APPROVAL OF THE MINUTES OF THE REGULAR MONTHLY MEETING HELD TUESEAY, JUNE 24 2008 AT 6:30 PM PURSUANT TO O.C.G.A. § 50-14-1(e) (2)

Chairman Fry said “On page 3 of 8, third paragraph down it says next Mr. Marro mentioned that suggested the following date. I think the ‘mention that’ is supposed to come out of there. So, it was just reading ‘Mr. Marro suggested the following dates.’” Nancy Cook said ‘Yes, it does’”. Chairman Fry then said that he had a question also on page 5 of 8, middle of the, the first one under the title where it says motion, down about midway, the large paragraph C there. Commissioner Willis asked “What page is that, Steve?” Chairman Fry said “page 5 of 8, almost exactly in the middle of the page if you’ll look there under the paragraph C that starts out Don Collins. I have a problem with one of the lines in there before we approve these into the minutes and make this official because it’s not, in my opinion, it’s not accurate. It says ‘to date, the amount either spent or encumbered is \$1.868,081.36 of which \$26,081.36 is that amount over’ and that is just not true. That money has not been spent neither encumbered at this point and we know that. We keep going on about this S.P.L.O.S.T., that we’ve overspent the S.P.L.O.S.T. for these fire stations and we haven’t and we’re not going to. We’ll spend 1.6 million plus any interest earned. There’s going to be costs for these fire stations for a while. There’s going to be possibly television sets, a couch. There’s going to be a refrigerator. There’s going to be different things that go into these that are going to be extra expenses that are going to continue on. And, just to think that everything is going to be complete and the money and the completion of these fire departments are both going to coincidentally end at 1.6 million dollars plus interest is wrong. That money has gone to these fire stations and will continue to go exactly 1.6 million dollars plus interest to these fire stations but that’s not going to complete them. There’s going to be things, I would think for years that are going to be added on to these fire stations and it’s going to come out of other revenue sources. So, I have a problem with this line saying ‘to date the amount either spent or encumbered is the 1.868 because we have not spent it and we have no documents to show that was encumbered. I just have a problem making that official in the minutes. You all can decided what you want on it but personally that’s my problem because when we vote on these minutes and that’s approved, we ‘re saying that we’ve overspent that budget by 1.868 or by 2.68 thousand dollars and we haven’t done it. The money has not left our account and it has not been encumbered.” Nancy Cook asked “Do you want me to remove that or do you want me to add that” Chairman Fry said “Well, I mean, it’s up to the Board. I think that it is incorrect. That’s an incorrect statement and no-one can show me any financial documents that show that money has either been spent or encumbered. There was a lot of analysis done and we’ve looked at it many times but the money has not been spent. It has not

come out of our accounts and there's no documents showing that it has been encumbered to any Pike County accounts. We've talked about different things that need to be done, different site preparations that need to be done and that have not been done. I have a problem signing an official document that says we spent money that we have not spent." Commissioner Swift said "An encumbrance is basically a future expense. Something that is done and is being done." Chairman Fry "It's when we have something being spent out of that account. And we have not encumbered that account for those amounts to go over. We would not do that. For one thing, our CSI system would not allow us to do that. It would show it was over that account. I went in there to approve things yesterday and it flashes up 'over budget' if money hasn't been moved inside the different accounts for different departments. This was on a different department, different unrelated item but it comes up and tells you if that line item is over and you have to go to that department head and say 'hey, if you want to get this, you need to move some money from somewhere else before we can do it' and the department head does it. The system will not allow you to spend money over what was budgeted for that line item." Commissioner Swift said "The only way I see it is we requested the CATF to create a sub-committee to review the S.P.L.O.S.T. expenditures and revenues so it's just a report that they're giving and it's their opinion. So, the only thing that I would suggest would be say that this is the CATF's S.P.L.O.S.T. sub-committee's opinion based on the financials that they had to evaluate; revenues, expenditures, interest and this is their evaluation. It's a play on words with me." Chairman Fry then said "Ok, I understand that. So if we said that in their opinion to date, and the next sentence should read 'the committee discussed how to remedy the alleged overage, you know, if we want to go into that kind of semantics then I could go along with it but the fact is that money has neither been spent or encumbered and I have objection to this line saying that it has.'" Commissioner Swift "Yeah, I can understand that. Just the bottom line is we're to generate 1.6 million dollars through S.P.L.O.S.T. revenues for the construction of the fire stations and the purchase of the defined equipment." Chairman Fry said "but in no way does it say that that will forever satisfy all requirements of this fire station; that it will never need anything else, that it will be absolutely, completely equipped but that money is going to be spent to build and equip these fire stations but it's not ever going to be complete." Commissioner Swift said "But, my understanding is as a vote and as a taxpayer is that, we can beat this horse to death on what was actually said, what was actually proposed, and the actual legal referendum. I know what was supposed to be done and with that 1.6 million dollars, I mean, you're going to have to convince me that we're going to be able to build Hollonville at all to start with that 1.6 based on the equipment we've purchased. But, in my opinion, as going to that ballot, voting for that S.P.L.O.S.T., 1.6 million dollars was to build fire stations and that would be based on the specs upfront so that's the upfront spec cost and the addition of the equipment, none of that is to go above 1.6 million dollars." Chairman Fry said "Well, no, I don't think it said that but it said that the 1.6 million had to be spent on building, constructing and equipping those fire stations and it has and it will. It's not going to be spent on anything else other than that and that's a fact but its going to cost more than that in the future and possibly now, we're looking at the cost of putting concrete aprons thicker than was ever in any specs out there because of the weight of the trucks. That wasn't all planned in there and so I don't want somebody to say 'well now you've spent another \$50,000.00 on all of these fire stations or \$100,000.00 putting a six inch reinforced concrete on all the aprons. Or, later on is we put flashing caution lights out on the roads in front of these so that when the fire station doors go up it signals a red flashing light so the fire trucks can come out, I don't want somebody to say that's another thing you went over the S.P.L.O.S.T. on because its not. These things were not initially figured into the S.P.L.O.S.T. In fact, when that team initially put together the S.P.L.O.S.T., they were looking at \$48,000.00 apiece for fire stations. They were just looking at a metal shell and that's not what the citizens wanted. That's what the \$1,600,000.00 was planned on but we decided we needed some better facilities." Commissioner Swift said "What was planned and what was the right plan and what was spent, nevertheless I don't want semantics to come into the game here. Costs have risen," Chairman Fry continued "What you thought you were going to spend on something last year you probably can't buy it for this year on just about anything in our society right now." Commissioner Swift then said "The CATF is an advisory board. We requested they evaluate S.P.L.O.S.T. expenditures and revenues and advise us on in their opinion and my question would be out of that \$268,081 does the \$164,000 come out of that for the tankers?" Chairman Fry said "that was pulled out." Commissioner Swift said "No, that's not pulled out of that \$268, is that correct?" Chairman Fry then said "I think you're correct there that it was not at that time so that does have to come out of that and the Dalmatian equipment, CBA's." Swift continued "So, there's things that budgetary wise were expensed in the wrong areas." Chairman Fry said "Yes, that was not S.P.L.O.S.T." Commissioner Swift then said "But we'll still be over \$1,600,000.00 any way you look at it." County Manager Marro said "No, you're not, sir. You are not over \$1,600,000.00."

The figures that are on the spreadsheet are not correct. They do not jive with what the figures are in the computer and I will elaborate on that for you if you'd like me to." Commissioner Swift said "I have two or three questions that depend on how I want to litigate it. Number one, when these trucks roll in and we send a check to American LaFrance, we transfer the funds out of the S.P.L.O.S.T. to pay for the tankers on the impact fees and we're done building Williamson and Lifsey Springs and he walks away with intended construction costs, estimated construction costs, where will we be?" County Manager Marro said "We'll have spent \$1,600,000.00 worth of S.P.L.O.S.T. funds plus interest. We don't have the authority to spend any more money than that. The S.P.L.O.S.T. called for \$1,600,000.00 on these issues." Commissioner Swift said "Yeah, that's all legally but we are going above the 1.6." County Manager Marro said "that has to come out of contingency or the general operating fund." Commissioner Willis said "Can't we just change that wording to correct that?" County Manager Marro said "My office staff personnel can't agree with the figures. This is what we've been trying to say all along. The figures do not add up." Commissioner Willis asked "Well, how do we correct it?" Commissioner Swift said "I'd just say it was an opinion on the CATF. It was a statement read by the CATF chairman in an official, regular scheduled meeting, thus went on the minutes, thus went in the report." Chairman Fry "Why don't we just start that paragraph and say 'the following report was presented as a presentation from the CATF.'" Commissioner Swift suggested that it "be more official to make note on the minutes today and refer to that statement in these minutes and make it official record today. I don't think we can go back and change anything. He said it. We didn't say it." County Attorney Tom Morton said "That is correct because the minutes are reflecting what was provided to you. Your understanding of it may differ from what the report was given and it would seem to me that either you take the matter of these minutes under submission to add a caveat along the lines that have been expressed by the chairperson the bring it back for approval at another meeting or do that today. Approve the minutes subject to including a clarification comment as expressed by the chairperson." Commissioner Swift said "Correct and I'll elaborate further. If we were going to worry about the numbers in hindsight like we often worry about things in hindsight, we should have gotten together with the CATF and collaborated numbers before it became forward, before we were worried about how we looked". Chairman Fry said "CATF was involved. They had a S.P.L.O.S.T. committee that helped design the S.P.L.O.S.T. and how much we were going to collect for these items." Commissioner Garner said "When we first got started on the fire stations, me and Mr. Marro had talked a couple of times about the Lifsey Springs and the Williamson and the comments that were made to me and the figures, there wasn't going to be enough to finish the projects" Mr. Marro said "That's correct. I was talking complete projects, yes. Now we're looking at huge costs to put cement driveways in which were not part of the bid. They were never part of the bid." Commissioner Garner continued "that was before this come into play thought." Mr. Marro said "That is correct." Mr. Garner "So what me and you were saying, you've got so much money to go forward and then you're going to be right there at that end right there." Mr. Marro said "That exactly what we said. That's exactly what I agreed with you on." Mr. Garner then said "and these other ones that have come in that wasn't looked at, there's going to have to be another way to (tape inaudible)." Chairman Fry said "That's all I'm saying." Commissioner Swift "We're not overspending S.P.L.O.S.T. because we can't legally spend more than was voted to spend but we're still going to spend more than \$1,600,000.00." Chairman Fry said "Sure." Commissioner Garner "or hold up until you get another S.P.L.O.S.T." Commissioner Swift "You know, if you want to state it differently. The projects and the cost of apparatuses will exceed the \$1,600,000.00 by whatever." Commissioner Garner said "the preparation for the projects and the needs and everything that was there, somebody dropped the ball, didn't they?" Chairman Fry "Oh yeah. It was on the designs, original designs and what the project was supposed to entail wasn't what I guess just didn't make sense for the county. The designs and some of the things. \$48,000.00 for a fire station wasn't very realistic." Commissioner Swift said "We were going to have hangars to park the trucks in basically." Mr. Fry "Yeah. Pole barns with some sides on them was pretty much what they were looking at." Mr. Garner said "Wasn't there some fire personnel that helped to steer that?" Mr. Fry "Oh yeah." Mr. Garner the said "Your fire stations throughout, I mean your fire trucks, I don't know how many gallons they're gonna hold but they've got eight pounds per gallon or somewhere close. Coming in and out of there, I mean, wouldn't it be realistic to, even your pads where you're backing it up has concrete in it, coming in and out. You've got to have a stiff amount of base for them to get in and out. That wasn't included". Chairman Fry said "Right. It was never included and they knew it because we couldn't have done that with the amount of S.P.L.O.S.T. that they wanted to raise." Mr. Garner said "If they knew that then it would set up to be just a halfway start project if they knew it to begin with." Mr. Marro said "That's about the time that I came onboard and that's where I made the comment to you gentlemen, the Board of

Commissioners, and the public that some of these are serving as voting booths, voting locations. These are all evacuation centers in time of an emergency and according to that they have to meet life safety codes which changed the entire complexity of the building that we had to put up. That's all there was to it. That's why we brought Todd Albritton on to do the design."

Chairman Fry "and I think that was a smart move for the county because we've got more use out of these buildings." Mr. Marro "Even the figures that the CATF provides show three fire stations being built and I think we can build three fire stations. The issue is whether or not we can put a cement pad around the third fire station at the cost we're paying for cement these days. Cement is as expensive as hot top" Commissioner Swift asked "Does the CATF report actually show Hollonville being built in their figures?" Mr. Marro said "It shows three fire stations." Commissioner Garner said "I was thinking our conversation said even before the asphalt come into play that there wasn't going to be enough to complete all three." Mr. Marro said "yes, that's correct." Mr. Swift said "The cost of metal just went up so Hollonville" Mr. Marro said "I'm not so sure you shouldn't order the Hollonville station now and get it delivered to the highway department because the cost of steel is going up every month and its costing us more and more and more because we've not ordered that machine." Chairman Fry said "I hoping to have a meeting with Hollonville either tonight or tomorrow night. We couldn't get together yesterday." Commissioner Swift said "You know, I noticed on McLeRoy's now that we're on this, one of the...change orders was an increase in the cost of steel but when you bid a project, don't you bid that out based on a 90 day projection?" Mr. Marro said "All the bids, I shouldn't say that. I'm going to guess that they were 30 day bids but I'm not sure of that." Commissioner Garner asked "Why would you, if you've got two projects that's not completed, why would you order for the other project knowing your other two's not going to get completed when you order that? Why don't you finish one at a time and move forward and get a completion rather than having three projects that's just there that's not complete?" Chairman Fry said "Just to avoid the price of steel going up." Commissioner Garner said "And the other building not be finished on account of you having the steel sitting. That's like buying two cars; one without a motor and one without a transmission. Basically neither one is worth a darn to you." Chairman Fry said "But if we don't buy, we're going to build three stations, though." Commissioner Garner said "I know you want to build three stations but if there ain't enough to build three stations, why don't you at least complete one or complete two?" County Manager Marro said "That's where we're headed is to complete two right now. I just throw purchase of the third one out for your consideration. I have no idea how much steel is going to go up between now and the time we're going to order it again." Commissioner Willis asked "Shouldn't we have enough money to complete those two plus buy that steel?" Mr. Marro said "Yes." Commissioner Willis continued "Maybe the third one can't be completed but there's enough money to complete the two and buy the steel before the steel goes up any more." Commissioner Garner said "As long as the two projects are completed. He said the asphalt wasn't figured in. If you're going to build a building and you can't get to it, that's what I'm saying. Have a job completed before you start another one." Commissioner Powers said "In other words, a turn-key job on the two." Commissioner Garner said "Be sure you've got enough to have a turn-key on them, then do your third one out there. You can at least break ground but you can only go so far with what you've got, then you have to look at other revenues." Commissioner Willis "I think we've got enough money to complete the two then buy the steel for the other building. I think we can turn-key on two of them and still buy that steel." Commissioner Garner asked "How far are the other two?" Mr. Marro said "They're going to be completed by sometime around the middle of August. That's what the contractor said yesterday." Chairman Fry said "What we're working now is just the minutes. Sorry, I've gotten us way off track here but what we're doing is looking at approval of these minutes from the 24th." Commissioner Swift "See, the thing I don't like about this whole thing and it's been going on and it's been nothing but a negative discussion versus a positive discussion. Everything that has been sought out has been negative, whether it's unintentional or intentional to make the whole process look bad. We need to start finding positives because I mean everybody that has a website, everybody that writes in the paper, there's nothing positive coming out of it." Chairman Fry said "The good thing is we're getting new fire stations built, we've got new fire equipment coming in." Commissioner Powers said "I've got a question. Can we pull section C out completely, readdress it and then approve the rest?" Chairman Fry said "We can do that or we could just say 'the following is a report from Don Collins, chairman of the S.P.L.O.S.T. committee and just make sure that that's just a report.'" Commissioner Garner said "When that was mentioned, was there any rebuttal when that was said? Is it on tape?" Chairman Fry "Yeah, there was a lot of discussion about it." Commissioner Swift said "Mr. Chairman, would it be relevant that the chairman make a comment per his report?" Chairman Fry said "We can but what we're looking at is the minutes, but Don, do you want to add anything to that?" Don Collins said "As chairman of the CATF we have the chairman of the committee that did the

S.P.L.O.S.T. review, we were charged with doing a review and present it to the commissioners. That's all we did. We're not an auditing firm. All we did was give you the best information we had and put it in your hands to take care of it and did everything back like it should be. That's the only report we did. We weren't saying this is what is in questions, hard as Mr. Marro wants to say. This is just a report based on the information that the S.P.L.O.S.T. review committee was given. I think Ms. Bass would agree with that." Chairman Fry "So, do you want to make a motion to pull it then?"

MOTION

Commissioner Powers made the motion to strike item C, page 5 of 8 and approve the June 24, 2008 minutes. Commissioner Willis seconded the motion. 3-2 vote with Commissioner Powers and Commissioner Garner opposed.

CHAIRMAN FRY CALLED FOR APPROVAL OF THE MINUTES OF THE SPECIAL CALLED MEETING HELD JULY 3, 2008 AT 9:00 AM PURSUANT TO O.C.G.A. § 50-14-1(e) (2)

MOTION

Commissioner Swift made the motion to approve the Special Called Meeting Minutes held July 3, 2008 at 9:00 am. Commissioner Powers seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR APPROVAL OF THE MINUTES OF THE REGULAR MONTHLY MEETING HELD JUNE 11, 2008 AT 9:00 AM PURSUANT TO O.C.G.A. § 50-14-1(e) (2) (Corrected)

MOTION

Commissioner Willis made the motion to approve the Regular Monthly Meeting Minutes held June 11, 2008 as corrected. Commissioner Powers seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-MONTHLY REPORTS SUBMITTED FROM COUNTY DEPARTMENTS, BOARDS AND AUTHORITIES

Chairman Fry questioned the Public Works department's figures as the current month's amounts added with last months total didn't equal this month's totals. Chairman Fry also questioned a figure from the Health Department's report.

MOTION

Commissioner Swift made the motion to approve the monthly reports as submitted with clarification on the Road Department figures. Commissioner Powers seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENTS AND COMMITTEES-COUNTY MANAGER REPORT

1. County Manager Marro discussed the licensing mandating of new state laws applying to the key building trades from the Office of the Secretary of State. This includes plumbers, electricians, air condition contractors, low voltage contractors, utility contractors and certain residential and commercial contractors. Per Mr. Marro, these rules are going to cause a lot of problems at the Planning and Development office because a lot of the contractors signing up down there don't understand that this is a new state law. The county has no control over this process at all. Effective July 1, 2008, if somebody is building a house, they need to tell us who all the sub-contractors are and the county has to check the licenses of all of them. If they are not licensed, they do not get permitted to build the house. Chairman Fry said that if a contractor was not licensed, he can't go out and hire sub-contractors that were licensed and work under that person's license. Mr. Marro said that this is a very stringent change. This legislation was passed two years ago but has taken that long to get it enacted. Training sessions are made available to the contractors and the information is on the Secretary of State's website. Commissioner Garner asked if that applied to a homeowner that wanted to do his own repairs. Mr. Marro said that he did not read anything about that but thought that a homeowner could still do his/her own work but if he is going to use a sub-contractor and he has to have a permit for that work, he must have a certified license under this new program. The complete notices received from the State of

Georgia were run in the newspaper in order to make sure that our contractors knew of this new law.

2. Mr. Marro spoke of the correspondence received from Chief Tom Tyree pertaining to the new American LaFrance fire trucks. Copies of the new fire trucks were attached with this letter from Tom Tyree. One of the trucks was to be ready this month but they would not be delivered until all were completed.

3. Mr. Marro went over the budget workshop dates with the commissioners. All are evening meetings after 5:30 pm because we were asked to hold these workshops in the evening. There are three workshops scheduled and if more are needed, they will be added. Commissioner Garner said that July 15th would be a busy day with the election that day. Commissioner Swift questioned why these were not all held prior to Election Day. Mr. Marro stated that we asked for dates and did not get any dates from the commissioners other than Commissioner Willis. Commissioner Swift wanted to hold a workshop the next day but was told that this was not possible as these workshops needed to be advertised in the local paper. That is why these three dates were just set as they needed to get posted in the newspaper. Mr. Marro said that if the commissioners wanted to cancel the meeting on the 15th. Nancy Cook told the commissioners that if this meeting was postponed, the budget process would be put off because it will have to be re-advertised. The workshop scheduled for the 15th will be rescheduled for the 22nd.

4. Mr. Marro said that at the last meeting, there was some discussion with the Water Authority regarding some proposed ordinances presented to the Board of Commissioners in November, 2006. Mr. Marro passed out a copy of this proposed ordinance that was provided by Tom Lacey, Water and Sewerage Authority chairman. Mr. Marro said that the Water Authority is preparing a new ordinance.

CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS, DEPARTMENT AND COMMITTEES-COMMISSIONERS REPORT

District 1- Commissioner Willis had no report today.

District 2- Commissioner Swift asked about the status of an ordinance allowing the county to charge a minimum fee for water. Mr. Marro said that this is really the Water Authority's business. Commissioner Swift asked that this be mentioned to County Attorney Rob Morton to see where this stands and mentioned that the Board of Commissioners appoints the Water Authority Board and that any lack of action that they do makes the commissioners look like they are not doing what they need to do.

Commissioner Swift then asked for an update of the Rita Grisham issue. County Manager Marro said that Sandy Danielson, the Code Enforcement Officer, is still out on medical leave. Commissioner Swift said that once Ms. Danielson is back to work that this is to take precedence as it was an action given by the Board. Mr. Marro said that he could ask Mark Whitley to handle this if the Board would like him to but the motion was to have the Code Enforcement Officer handle this. Mr. Marro said that Mr. Whitley had offered to handle this earlier in the week but Mr. Marro said that the Code Enforcement Officer was to handle this. Commissioner Garner suggested that the county attorney look at the file and write a letter and to leave Mr. Whitley out of this at this time. Mr. Marro was asked to meet with the county attorney on this issue.

Commissioner Swift then asked that the minutes and financial reports be placed on the county website.

District 3- Commissioner Powers had no report today.

District 4- Commissioner Garner said that he had received phone calls praising the road department on the ditching.

Chairman Fry brought up the issue of the vehicle policy stating that no non-county employees could ride in county vehicles. He asked how the Sheriff's Department can pick up a prisoner in their car. Mr. Marro said that there will be modifications to this policy before the second reading.

**CHAIRMAN FRY CALLED FOR REPORTS FROM COMMISSIONERS,
DEPARTMENT AND COMMITTEES-COUNTY ATTORNEY REPORT**

County Attorney Tom Morton had two items that he wanted to discuss. First is just a point of information. The IRS has notified Morton's office that they were going to start sending out questionnaires to 500 state and local government bond users this summer. Each bond user will be required to submit a report of records of the spending of proceeds and their proper use, the filing of timely returns and information on a user's record retention program. The IRS is considering enforcement actions against those entities that do not return these questionnaires. It is very important that if Pike County gets one of these surveys, it must be completed. Mr. Morton said that he wanted to make this a matter of record.

Next, Mr. Morton said that has thought about the previous motion to strike item "c" from the June 24th minutes (Don Collins' S.P.L.O.S.T. report). The reason that the report was given is a matter of record. Mr. Collins did provide what is stated in the minutes. Mr. Morton said that his suggestion would be to reconsider and have the motion read that Mr. Collins submitted a report for the Commissioners review, consideration and verification. Record needs to be made that this report was given. You have no basis to strike this.

MOTION

Commissioner Powers made the motion to the motion approving the June 24, 2008 minutes. Commissioner Willis seconded the motion. 3-2 vote with Commissioners Swift and Garner opposed.

MOTION

Commissioner Swift made the motion to accept the June 24, 2008 minutes as submitted. Commissioner Willis seconded the motion for discussion. 3-2 vote with Chairman Fry and Commissioner Willis opposed.

Mr. Morton stated the Mr. Collins did make the report and the minutes did accurately represent Mr. Collins' report. The fact that Chairman Fry wanted clarification on the funds had nothing to do with the report. Mr. Morton suggested making the clarifications in today's minutes and leave the June 24, 2008 minutes as submitted. You can't strike something that has been done, per Mr. Morton.

CHAIRMAN FRY CALLED FOR UNFINISHED BUSINESS

A. Second Reading of Beer and Wine ordinance. Chairman Fry said that there has been some public concern on both side of this issue. Some citizens have voiced concern about the sale of beer and wine on Christmas Day. Commissioner Swift asked that no beer or wine be sold on Christmas Day. There was added discussion as to whether the percentage of alcohol sales to food sales was based on gross revenues or each individual ticket. Chairman Fry said that under section 111.06(D) there was no definition of lewd, immoral or improper behavior. Chairman Fry ask that these be defined. Mr. Tom Morton said that this ordinance was thoroughly researched by their firm and that this ordinance is the norm. The issue of sign placement was also discussed. Chairman Fry said that he would recommend that an ordinance be passed stating that in no way, in any restaurant, could you advertise that beer or wine was being sold other than it being on the menu. He said that he didn't want "cold beer" signs in the windows. Commissioner Garner asked why this was not put on the ballot. Chairman Fry said that the legislature allowed this to go on the ballot for the sale of liquor but it was not allowed for the sale of beer and wine. Commissioner Powers said that he couldn't vote on this until the ordinance was completed. The effective date of this ordinance was discussed and it was agreed that this would become effective on November 1, 2008.

MOTION

Commissioner Swift made the motion to accept the Second Reading of the beer and wine ordinance. A second was made by Commissioner Willis but no vote taken.

MOTION

Commissioner Garner made the motion to suspend the last motion and to allow public comment. Commissioner Powers seconded the motion. 4-1 vote with Commissioner Willis opposed.

Margie Trammell said that she was on the CATF ordinance committee and that a sign ordinance would have addressed the issue of the beer signs.

Becky Watts said that she is also on this committee and that the adult entertainment issue should be looked at before the 2nd reading was approved.

Ron Alexander spoke in favor of the pouring of beer and wine. He said that he's not trying to start a lewd bar. He was trying to compete with Spalding, Upson and Lamar Counties.

Naveed Sadiq, owner of the Mountain View Store, requested that beer and wine sales be allowed in Pike County on both election and Christmas Day saying that the City of Zebulon can sell on these days and that his business should be given the same consideration.

Patsy Page spoke in favor of the proposed beer and wine ordinance saying that this would bring in more business to the county.

Jimmy Bass said that this would not provide a tax break for the citizens but would give more money for the county to spend. Bass said that this is a step toward lowering the quality of life in Pike County.

Richard Upton said that he is a new property owner in Pike County and said that he is favor of this ordinance. Mr. Upton said that the concept of a 'dry county' was new to him.

Ron Byrd said that he disagreed with Jimmy Bass' statement that this ordinance is being passed for Ron Alexander. Mr. Byrd said that he sees this as a way to get an Appleby's or other such restaurants and that this would bring more revenue to the county, not just in alcohol sales.

Barbara Scott said that she knows the people at the Peachstate Aerodome and that they were respectable people. She said that they would never condone unacceptable behavior.

MOTION

Commissioner Garner made the motion to suspend public comment at this time. Commissioner Willis seconded the motion. 5-0 vote.

MOTION

Commissioner Swift made the motion to consider this the Second Reading of the beer and wine ordinance without Christmas day (sales) and with a November 1, 2008 (effective date). Commissioner Willis seconded the motion. 3-2 vote with Commissioners Powers and Garner opposed.

B. Tripp Brisendine with a Downtown Development update. Mr. Brisendine was not present at tonight's meeting but Don Collins said that he was just going to announce that the new Wings & Things was going to open one week from today in the former Country Moose location.

C. Discussion of the ISO survey. Mr. Marro said that he had met with a representative of the National Fire Services Office, saying that this company can help Pike County prepare for its ISO study. Chairman Fry said that it is important to get this ISO study done before March 2009 as the training requirements for firefighters changes at that time. National Fire Services Office services will cost \$26,000.00. It was said that this money would be recouped in one year of taxpayer savings in insurance premiums. Commissioner Swift asked why he wasn't aware of the ISO meeting. Don Collins said that rather than focus on all of the firefighters, he thought that two firefighters would be sufficient on this committee. Mr. Collins said that this issue was brought to the firefighters in March 2006 and nothing had been done by the firefighters since that time. Commissioner Swift said that Don Collins knew nothing about ISO. He also stated that the insurance rollback money will be less if the ISO ratings go down.

MOTION

Commissioner Garner made the motion to allow public comment. Commissioner Swift seconded the motion. 5-0 vote.

Carol Bass said that the rollback money does help the taxpayers since it's figured into the revenue.

Commissioner Swift asked Steve Marro to meet with the cities to see if they'd like to get in on this and asked if this can wait until the next budget. He also said he wanted this mapped out to

see how this can be put into the budget for the upcoming year. He then said he wanted to see if this could be done by March 2009 with the budget starting November 1, 2008. Chairman Fry said that could not be done, that they wanted to start this prior to November 1st, that in order for it to be completed by November 1, 2008, this would need to start immediately. Don Collins said that there was a breakdown in the contract on partial payments. There would be four payments of \$6,500.00 each. Commissioner Swift asked Ken Riley who had met with the National Fire Safety Office representative for his opinion of that meeting. Mr. Riley said that he was 100% certain that this ISO survey could not be done in-house. He also suggested that this not be put off until November because it would not be done by March of 2009. He stated that this would be money well spent. It was stated that the ISO study is a 3-part study and that the 911 and Water Authority packets have been completed. The fire department survey will be the biggest of the three. Commissioner Garner asked Chairman Fry if he was in this meeting with NFSO and if the payment schedule was discussed at that time. Chairman Fry said that the payment schedule was \$6,500.00 at the start, \$6,500.00 when the recommendations list is delivered, \$6,500.00 when the 50-year drought study is completed, and \$6,500.00 when the ISO inspection. Chairman Fry said that all of it wouldn't be done in this fiscal year because the ISO rating itself takes quite a while. Chairman Fry said that the county would need to be into phase 4 by November 1, 2008.

MOTION

Commissioner Garner made the motion to accept and sign the professional services agreement with National Fire Services Office and for the money to come from contingencies and be repaid with insurance rollback money. Commissioner Powers seconded the motion. 5-0 vote.

D. Update the Planning and Development Director's position. Mr. Marro said that this position is open until filled and the county is still taking applications for this position. One of the final three applicants has withdrawn his name. Commissioner Swift suggested starting the hiring process for this position from scratch.

CHAIRMAN FRY CALLED FOR NEW BUSINESS

A. Discussion of moving driveway permits from Planning and Development to the Road Department. Chairman Fry presented a letter from Todd Goolsby, Public Works Director, requesting this move. Mr. Marro said that anyone that wants a driveway culvert would have to go directly to the Road Department rather than to Planning and Development. Commissioner Garner said that the Road Department would have to go out and size the pipe first anyways. He also stated that the homeowner would need the driveway permit before the building permit starts.

MOTION

Commissioner Garner made the motion to move driveway permits from Planning and Development to the Road Department. Commissioner Swift seconded the motion. 5-0 vote.

This new procedure would be effective immediately and an ad would be put into the paper stating this. Mr. Marro said that this will also speed up the process of obtaining an address.

B. Discuss the letter received from ACCG pertaining to the interest level of any Pike County Commissioner volunteering to serve on a local panel to the Public Defender. Mr. Marro said that if any of the commissioners were interested in being on this board he would need to know by July 15th.

CHAIRMAN FRY CALLED FOR EXECUTIVE SESSION- PENDING LITIGATION PURSUANT TO O.C.G.A. § 50-14-2(1)

MOTION

Commissioner Powers made the motion to exit Regular Session and enter into Executive Session for the purposes of Pending/Potential Litigation pursuant to O.C.G.A. § 50-14-2(1) at 11:39 am. Commissioner Willis seconded the motion. 5-0 vote.

MOTION

Commissioner Garner made the motion to exit Executive Session and re-enter Open Session at

12:31 pm. Commissioner Swift seconded the motion. 5-0 vote.

MOTION

Commissioner Garner made the motion to sign the agreement between American LaFrance and the Pike County Fire Department. Commissioner Powers seconded the motion. 5-0 vote.

MOTION

Commissioner Garner made the motion to re-enter Executive Session for the purposes of Personnel-Fire Department at 12:34 pm. Commissioner Powers seconded the motion. 5-0 vote.

MOTION

Commissioner Swift made the motion to exit Executive Session and re-enter Open Session at 12:43 pm. Commissioner Willis seconded the motion. 5-0 vote.

CHAIRMAN FRY CALLED FOR PUBLIC COMMENT-NONE

MOTION

Commissioner Garner made the motion to adjourn at 12:44 pm. Commissioner Swift seconded the motion. 5-0 vote.

Chairman Steve Fry
Pike County Board of Commissioners

ATTEST:

Steve Marro
County Manager